



02 NOV 2006

SIEMENS CORPORATION
Intellectual Property Department
170 Wood Avenue South
Iselin, NJ 08830

In re Application of :
TIEMANN, Peter :
Application No.: 10/568,735 :
PCT No.: PCT/EP2004/007947 :
Int. Filing Date: 16 July 2004 :
Priority Date: 18 August 2003 :
Attorney Docket No.: 2003P11342WOUS :
For: DIFFUSER FOR A GAS TURBINE, :
AND GAS TURBINE FOR POWER :
GENERATION :

DECISION

This is a decision on the declaration filed with the national stage papers on 17 February 2006 which has been treated as a petition under 37 CFR 1.42.

BACKGROUND

On 17 February 2006, applicant filed papers to enter the national stage of PCT/EP2004/007947 which was accompanied by, *inter alia*, an executed declaration.

DISCUSSION

37 CFR 1.42 *When the Inventor is Dead*, states, in part:

In case of the death of the inventor, the legal representative (executor, administrator, etc.) of the deceased inventor may make the necessary oath or declaration, and apply for and obtain the patent.

Applicant submitted a declaration signed by Iris Olfmans as the legal representative of the sole inventor, Peter Tiemann, who is listed as comatose. The required information of the inventor is recorded on the declaration pursuant to 37 CFR 1.497(a).

However, the citizenship, residence and address of the legal representative are omitted. See 37 CFR 1.497(b)(2). As such, the declaration does not comply with 37 CFR 1.497(a) and (b).

CONCLUSION

The papers filed under 37 CFR 1.42 are **DISMISSED**.

Applicant is required to provide an oath or declaration in compliance with 37 CFR 1.497(a) and (b) within a time limit of **TWO (2) MONTHS** from the mail date of this decision. Extension of time may be granted under 37 CFR 1.136(a).

Any further correspondence with respect to this matter deposited with the United States Postal Service should be addressed to the Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

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